

10-01-04

Attorney's Docket No. 018360/260844

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re: Heaps, et al.
Appl No.: 10/828,850
Filed: April 15, 2004
For: RUSH HOUR MODELING FOR ROUTING AND SCHEDULING

Confirmation No.: 5329
Group Art Unit: 2123

Mail Stop Missing Parts
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450



RESPONSE TO NOTICE TO FILE MISSING PARTS OF APPLICATION

In response to the Notice to File Missing Parts of Application dated June 28, 2004, enclosed are the following:

- Part 2 of Formalities Letter or Form PTO-1533
(Notice to File Missing Parts of Application)
- Declaration and Power of Attorney for the above-identified application, which has been executed by the named inventor(s)
- Applicant claims small entity status
- Authorization to charge the Deposit Account No. 16-0605 the \$130.00 surcharge under 37 C.F.R. § 1.16(e)
- English Translation and \$130.00 (37 CFR 1.17(i)) fee for filing late.
- Other: (2) month Extension of Time
- Any deficiency, additional fee, or credit may be charged to our Deposit Account No. 16-0605.

Respectfully submitted,

Meredith W. Struby

Meredith W. Struby
Registration No. 54,474

Customer No. 00826 ALSTON & BIRD LLP Bank of America Plaza 101 South Tryon Street, Suite 4000 Charlotte, NC 28280-4000 Tel Atlanta Office (404) 881-7000 Fax Atlanta Office (404) 881-7777	"Express Mail" mailing label number EV 354293084 US Date of Deposit September 29, 2004 I hereby certify that this paper or fee is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 on the date indicated above and is addressed to: Mail Stop Missing Parts, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 <i>Teresa Wells</i> Teresa Wells
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UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
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APPLICATION NUMBER	FILING OR 371 (c) DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/828,850	04/15/2004	Charles Heaps	018360/260844

00826
ALSTON & BIRD LLP
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CHARLOTTE, NC 28280-4000



CONFIRMATION NO. 5329
FORMALITIES LETTER



OC000000013085054

Date Mailed: 06/28/2004

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

Filing Date Granted

Items Required To Avoid Abandonment:

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The oath or declaration is missing.
A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.

SUMMARY OF FEES DUE:

Total additional fee(s) required for this application is **\$130** for a Large Entity

- **\$130** Late oath or declaration Surcharge.

Replies should be mailed to: Mail Stop Missing Parts
Commissioner for Patents
P.O. Box 1450
Alexandria VA 22313-1450

*A copy of this notice **MUST** be returned with the reply.*

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Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE